

MINUTES

Attendance

Members Present: Bruce Carson, Jonathan O'Keeffe, Richard Roznoy
Other Planning Board Members present: Denise Barberet, Rob Crowner
Staff present: Jonathan Tucker, Planning Director; Christine Brestrup, Senior Planner; Jeff Bagg, Senior Planner
Others present and participating: Tom Ehrgood (ZBA liaison), Niels la Cour, Claire Bertrand, Sara la Cour, Walter Wolnik, Mary Streeter, Andy Churchill, Diana Stein

Discussion

The meeting began at 5:10 p.m. Mr. O'Keeffe described the subcommittee's semi-annual forums to review zoning priorities, outlined the process of preparation of zoning amendments for Spring and Fall 2010 Town Meetings, and emphasized the primary importance of the replacement of the Phased Growth Bylaw in the subcommittee's list of priorities.

Mr. Tucker gave brief descriptions of the items listed in the Priority A section of the subcommittee's worklist. Mr. O'Keeffe then opened the floor to public comments.

Niels la Cour supported the creation of a use category tailored to social service or charitable non-profit organizations. He cited the example of the Amherst Survival Center, which does not fit into the existing category of education or religious non-profit institutions, and thus had to be categorized as a retail operation for the purposes of zoning. He said the creation of a more specific use category would benefit the Survival Center and many similar institutions. Mr. la Cour also emphasized the priority of replacing the Phased Growth Bylaw, and recommended the use of form-based codes.

Claire Bertrand spoke to the importance of creating zoning to encourage economic development to increase the town's tax base, and of creating zoning to support the development of private, taxable student housing.

Sara la Cour, representing W.D. Cows, spoke about opportunities in the North Amherst village center, saying that this area is an up-and-coming district poised for revitalization, and that efforts to improve the area are hampered by a mix of many zoning districts in a small area that do not well serve the village center.

Walter Wolnik mentioned his previous support of investigation of state incentives under the smart growth provisions in M.G.L. 40R and 40S. He also mentioned the notion of regulating housing based on the number of bedrooms, not the number of dwelling units. He urged better document management processes to highlight changes in subcommittee documents, and spoke to the potential expansion of the DRB jurisdiction, stating that if jurisdiction is extended to village centers, this should be accompanied by documented design standards specific to those centers. He also advocated further investigation of Transfers of Development Rights as cited in the town's draft Master Plan.

Mary Streeter emphasized the importance of protecting neighborhoods as the subcommittee considers proposed zoning changes. She urged that mixed-use development and commercial development not be spread throughout the town. She stated that some zoning

articles, such as the article regarding medical uses, had been presented poorly at the most recent Special Town Meeting, portraying neighbors as adversaries. She reiterated her previous support for requiring minimum height standards, such as two stories, in areas like village centers. She also wondered what has caused reduced residential use in the downtown area, opposed fast-track provisions for subdivisions, and urged the board not to waive traffic impact statement requirements when considering development projects.

Both Mr. Wolnik and Ms. Streeter noted that there had been numerous comments from citizens regarding the need for transportation improvements at the public meetings leading up the development of the Master Plan and they urged the Subcommittee to pay attention to transportation-related issues.

Andy Churchill expressed support for the points raised by Ms. Bertrand regarding the importance of private student housing. He stated that the university plans to increase enrollment by 300 students per year on an ongoing basis and does not want to build on-campus housing, creating additional pressure for off-campus student housing.

Mr. la Cour agreed with Mr. Churchill regarding the importance of student housing. He stated that at the time that the fraternity properties on North Pleasant Street were on the market, there was widespread interest in purchasing these properties for the development of student housing, but all such proposals were hindered by Footnote (m) in the Zoning Bylaw's table of dimensional regulations, which places limits on the number of dwelling units allowed on a property of a given size. He stated that the town has very low vacancy rates, and that an increased supply of student housing would improve the quality of housing by creating more competition in the market for housing.

Ms. Streeter urged caution in the consideration of student housing projects, stating that projects that started with a reputable developer could end up in the hands of less reputable developers, and stating that the presence of classrooms in private housing could reduce the tax benefit of such projects. She encouraged contact with other municipalities in considering green building initiatives, and stated that provisions for green building practices should be requirements in the bylaw, rather than being offered by incentives. She stated that zoning is not an economic cure-all and could not be used to solve all of the towns financial problems.

Diana Stein stated that student housing can be costly in terms of its impact on town services, and encouraged pursuing incentives for other types of housing, such as nursing homes.

Rob Crowner asked about how the use of form-based codes could fit into our existing zoning regulations, and Mr. Tucker explained that many towns implement such codes in an incremental fashion, applying them to critical areas such as historic districts, downtowns, and village centers, while retaining traditional zoning techniques in other areas. Bruce Carson asked for examples of other towns using form-based codes, and Ms. Brestrup cited Lowell as an example.

Mr. O'Keeffe concluded the meeting by describing the subcommittee's upcoming meeting schedule and outlining the process leading to the development of zoning articles for the upcoming Town Meeting. The next Zoning Subcommittee was scheduled for Wednesday, January 6, 2010 at 5:00 PM in the Town Room at Town Hall.

The meeting was adjourned at 6:12 p.m.

Respectfully submitted by Jonathan O'Keeffe, subcommittee member

[Minutes approved 2/3/10]